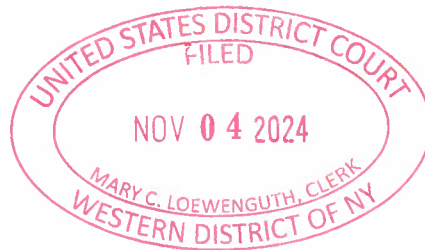


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA *ex rel.*
MICHAEL PILAT and
PHILIP MANISCALCO,

Plaintiffs,

17-CV-136 (JLS)

v.

AMEDISYS, INC., DOES 1-100,

Defendants.

ORDER

Relators Michael Pilat and Philip Maniscalco filed this False Claims Act suit against Amedisys, Inc., and Does 1–100. Dkt. 82. Amedisys moved to dismiss the fourth amended complaint. Dkt. 83. Relators responded (Dkt. 84), and Amedisys replied (Dkt. 85). The Court heard oral argument on July 25, 2024, and reserved decision. Dkt. 86.

The Court has studied the parties' submissions and the Second Circuit decision (Dkt. 78), considered the parties' arguments at the July 25 oral argument, and undertaken its own research. Based on all of that extensive study, the Court DENIES Defendant's motion to dismiss the fourth amended complaint (Dkt. 83) in its entirety.

Because the Court does not wish to delay this case further, it issues this order so that the case may proceed to discovery now. A written decision setting forth the reasons for the Court's decision to deny Defendant's motion is in progress, and the Court expects to issue that written decision as soon as possible.

SO ORDERED.

Dated: November 4, 2024
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE